

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

BOBBY DEON FISHER,

Plaintiff,

v.

Case No. 2:05-cv-38
HON. ROBERT HOLMES BELL

CURTIS HALL, et al.,

Defendants.

OPINION AND ORDER APPROVING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action on. The Report and Recommendation was duly served on the parties. The Court has received objections from plaintiff and defendant Abdellatif. In accordance with 28 U.S.C. § 636(b)(1), the Court has performed *de novo* consideration of those portions of the Report and Recommendation to which objection has been made. The Court now finds the objections to be without merit.

Defendant Abdellatif filed objections asserting that plaintiff failed to exhaust his grievance remedies. A review of the record establishes that plaintiff filed grievances at each step of the grievance process against each defendant asserting the claims presented in his complaint. Similarly, plaintiff stated a retaliation claim against defendant Abdellatif.

Plaintiff filed objections asserting that defendant Monroe should not be dismissed from this action. Defendant Monroe acted appropriately by contacting Dr. Abdellatif and scheduling

plaintiff for an appointment. Plaintiff failed to show that defendant Monroe acted with deliberate indifference to plaintiff's medical needs.

THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge is approved and adopted as the opinion of the court.

IT IS FURTHER ORDERED that the motion for summary judgment filed by defendants Monroe, Hall and Holman (docket #30) is GRANTED, defendant Abdellatif's motion to dismiss (docket #16) is DENIED, and plaintiff's motion to strike (docket #47) and motion for summary judgment (docket #50) are DENIED.

Date: March 3, 2006

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
CHIEF UNITED STATES DISTRICT JUDGE